

LINDA BALDWIN JONES, Bar No. 178922
 KRISTINA M. ZINNEN, Bar No. 245346
 EZEKIEL D. CARDER, Bar No. 206537
 WEINBERG, ROGER & ROSENFELD
 A Professional Corporation
 1001 Marina Village Parkway, Suite 200
 Alameda, California 94501-1091
 Telephone 510.337.1001
 Fax 510.337.1023

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

| | |
|---|---------------------------------------|
| ROSEMARY MUCKLOW; MIKE |) No. C 11-2420 EDL |
| FURSMAN, in their capacities as Trustees of |) |
| the NORTHERN CALIFORNIA UFCW |) |
| WHOLESALE HEALTH & WELFARE |) |
| FUND, |) EX PARTE REQUEST TO CONTINUE |
| |) CASE MANAGEMENT |
| Plaintiffs, |) CONFERENCE |
| |) ORDER |
| v. |) |
| |) |
| AMARAL & SONS, INC., a California |) |
| Corporation; MARVIN R. AMARAL, |) |
| individually; MARVIN R. AMARAL, as |) |
| shareholder of dissolved corporation AMARAL |) |
| & SONS, INC., |) |
| |) |
| Defendants. |) |

Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the Case Management Conference scheduled for June 5, 2012 at 4:15 p.m. be continued for 60 days.

Plaintiffs filed their First Amended Complaint for Breach of Contract, Damages, and Audit on March 23, 2012. Plaintiffs served Defendants with the First Amended Complaint via substituted service on March 29, 2012, for which proof of service with summons was filed with the Court on April 6, 2012.

The parties are currently engaged in informal settlement discussions and are likely to resolve the matter without further litigation. To allow time for these discussions, Plaintiffs

1 respectfully request a 60-day continuance of the Case Management Conference with an extension
2 of time for Defendants to answer. Plaintiffs anticipate that this 60-day period would give the
3 parties an opportunity to settle this matter. If a settlement is not reached, Plaintiffs will proceed
4 with the litigation.

5 The above stated facts are set forth in the accompanying declaration of Kristina M. Zinnen
6 in Support of Ex Parte Application to Continue Case Management Conference, filed herewith.

7 Dated: May 31, 2012

8 WEINBERG, ROGER & ROSENFELD
9 A Professional Corporation

10 By: /s/Kristina M. Zinnen
11 KRISTINA M. ZINNEN
12 Attorneys for Plaintiffs

13 **~~PROPOSED~~ ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

14 Based upon the foregoing Ex Parte Request to Continue Case Management Conference,
15 the Court orders the continuance of the case management conference ~~for 60 days, or as soon~~
16 ~~10 July 31, 2012 at 10:00 a.m.~~
~~hereafter as a court date is available. In addition, the Court Orders:~~

17
18 Dated: May 31, 2012

